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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 UNITED STATES OF AMERICA,
12
13 vs. Plaintiff,
14 RYAN WEDDING,
15 Defendant.
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CASE NO. 08cr2386 JM

ORDER CONFIRMING TRIAL
SCHEDULE; GRANTING IN PART,
DENYING IN PART, AND
DEFERRING PENDING IN LIMINE
AND DISCOVERY RELATED
MOTIONS; DENYING MOTION
FOR TRIAL CONTINUANCE


17 The purpose of this order is to confirm the November 16, 2009 trial date and to clarify the
18 status of several pending motions. The motions in limine (Docket Nos. 115, 116, 117, 118, 135, and
19 140), are granted in part, denied in part and deferred in part as set forth in the Notice of Filing of
20 Official Transcript. (Docket No. 153). As further addressed in Defendant's Motion to Preclude
21 Evidence and for Sanctions (Docket Nos. 162-165), the court notes that the majority of the discovery
22 related issues are moot in light of the Government's supplemental responses, and as further addressed
23 at the time of the October 26, 2009 hearing. (Docket No. 171). Moreover, discovery is on-going.
24 Pursuant to the Government's Brady obligations, the Government continues to provide additional
25 information for in camera inspection. The court notes that on October 28, 2009 the Government made
26 a third submission for in camera review. The court anticipates issuing an order addressing the in
27 camera review within the next few days.

28 Late in the afternoon of October 28, 2009, the court received another request by Defendant to

1 continue the trial. Counsel for Defendant, Mr. Denis, declares that he is in trial in the Central District
2 of California through October 30, 2009, and that he requires additional trial preparation time in this
3 case. The court denies the request for a continuance without prejudice for several reasons. First, trial
4 in this matter was originally calendared for August 10, 2009 and continued on several different
5 occasions to permit Defendant additional time to file motions, acquire discovery, and prepare for trial.
6 Second, the Government has provided substantial discovery in this case in anticipation of the August,
7 September, and October trial dates. The court anticipates that a few more pages of discovery may be
8 produced upon completion of the in camera review identified upon. Even if a few more pages of
9 discovery are produced two weeks before trial on a collateral matter, experienced counsel like Mr.
10 Denis should be able to adequately prepare for trial.

11 **IT IS SO ORDERED.**

12 DATED: October 28, 2009

13 
14 Hon. Jeffrey T. Miller
United States District Judge

15 cc: All parties
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